

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**GARY D. FOBAIR, JR.**

**Petitioner,**

**v.**

**JAMES N. CROSS,**

**Respondent.**

**No. 11-CV-361-DRH**

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This matter came before the Court on Report and Recommendation from United States Magistrate Judge Philip M. Frazier.

**IT IS ORDERED AND ADJUDGED** that pursuant to the order entered by this Court on October 3, 2012, the Report and Recommendation is adopted and this habeas petition pursuant to 28 U.S.C. §2241 is **DENIED**. Petitioner's claims are **DISMISSED** with prejudice.

**NANCY J. ROSENSTENGEL,  
CLERK OF COURT**

**BY: /s/Sara Jennings**  
**Deputy Clerk**

Dated: October 4, 2012



Digitally signed by  
David R. Herndon  
Date: 2012.10.04  
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APPROVED:

CHIEF JUDGE  
U. S. DISTRICT COURT